

general commodity rates from the lowest to the highest, the table may contain in the first column all amounts from \$0.01 to \$1.00 and all multiples of \$1.00 to and including \$50.00 with a plainly stated rule for using in combination amounts ascertained in the percentage column for separate portions of the general commodity rate. The rule must provide, for example, that if the general commodity rate is \$2.77, the percentages for \$2.00 and \$0.77 are to be ascertained separately and combined.

§ 221.75 Specific commodity rates.

(a) *Applicable on specific articles or commodities named in tariff.* Specific commodity rates shall be published to apply only on specific articles or commodities which shall be specifically named in the tariff. Generic commodity descriptions shall not be used except to the extent permitted in paragraph (c) in this section. The commodity descriptions shall be set forth directly in connection with the respective rates to which they apply, except as otherwise provided in this section. Specific commodity rates shall apply only on the specific articles or commodities on which they are indicated by the tariff to apply and shall not apply on analogous articles or commodities. As far as possible, uniform commodity descriptions shall be used in all tariffs.

(b) *Page caption and numbered items.* Specific commodity rates shall be published under the caption “Specific Commodity Rates” to be shown on each page containing such rates. Specific commodity rates shall be published in numbered items except as otherwise provided in paragraph (d) in this section. Two or more commodities taking different specific commodity rates from and to the same points shall not be published in the same item. When an item containing specific commodity rates is continued to a successive page or pages, either the commodity description shall be repeated on each such successive page or the commodity description may be omitted from each such successive page provided such page refers to the commodity description in the following manner:

For commodity description of this item, see page ____.

(c) *When generic commodity descriptions may be used.* A generic commodity description may be used in connection with a specific commodity rate to designate a number of specific commodities or articles embraced within such generic description, without naming such specific commodities or articles in connection with the rate: *Provided*, That the following requirements are complied with:

(1) The generic commodity description shown in connection with the rate shall refer to a numbered item (other than a rate item) in the same tariff which contains a list of the specific commodities or articles embraced within such generic commodity description and on which the rate will apply. The generic commodity description shall be shown in connection with the rate exactly as it appears in the heading of the item to which reference is made. Such generic commodity description and reference to the description item in the same tariff shall be shown in connection with the rate substantially in the following manner:

Abrasives, as described in Item No. ____ (as amended).

(2) The item to which such reference is made in accordance with paragraph (c)(1) of this section shall show:

(i) The same generic commodity description as a heading and the list of specific articles or commodities on which the rate is to apply, arranged in alphabetical order under such generic heading. For example, if the rate is indicated to apply on “Abrasives, as described in Item No. ____, as amended”, the item to which such reference is made shall contain the following heading: “Abrasives, namely:” and the specific abrasives on which the rate is to apply shall be named in alphabetical order and indented under such heading, for example:

Abrasives, namely:

Abrasive cloth or paper, including emery or sandpaper.

Alundum, corundum, emery or other natural or synthetic abrasive material.

Wheels, pulp grinding.

or,

(ii) The same generic commodity description as a heading followed by an

explicit explanation of the application of the generic description.

(3) The items containing the lists of specific commodities or articles under their respective generic headings shall be published immediately preceding the rates sections or tables in the tariff, and shall be published under a heading (on each page) which shall provide that such commodity descriptions are applicable only when and to the extent that reference is made to such commodity descriptions. Each such list of articles or commodities under a generic heading shall be published in a separate item.

(4) The method of publication authorized in this paragraph shall not be used when a specific commodity rate applies on less than ten specific commodities or articles embraced within a generic commodity description. In such cases, the specific commodities or articles shall be named in connection with the rate.

(d) *Commodity descriptions published separately from rates when latter arranged alphabetically by points.* When all specific commodity rates in a tariff are published in tabular form and all points of origin and destination are arranged alphabetically in conformance with § 221.37(b) (1) through (4) throughout the table of specific commodity rates, the commodity descriptions applicable to such rates may be published separately provided the following requirements are complied with:

(1) The full commodity descriptions shall be published in numbered items (other than rate items) immediately preceding the table of specific commodity rates.

(2) The items containing the commodity descriptions shall be published under a heading (on each page) which shall state that such commodity descriptions apply only in connection with and to the extent that reference is made thereto by the specific commodity rates on pages ____ through ____ (or, in § ____ of the tariff).

(3) Directly in connection with each specific commodity rate, reference shall be shown to the respective item containing the description of the specific commodities or articles on which such rate applies.

§ 221.76 Precedence of authorized types of rates.

(a) *Exception ratings to general commodity rates versus general commodity rates.* When both general commodity rates and exception ratings to general commodity rates (stated as percentages of the general commodity rates) are published to apply from and to the same points via the same routes, the tariffs containing such rates and exception ratings (or their governing rules tariffs) shall contain a rule reading as follows:

An exception rating to the general commodity rate, stated as a percentage of the general commodity rate, removes the application of the general commodity rate on the same quantity of the same article or commodity (in the same package or shipping form) from and to the same points over the same route.

(b) *Specific commodity rates versus general commodity rates and exceptions to general commodity rates.* When specific commodity rates, general commodity rates and exception ratings to general commodity rates (stated as percentages of the general commodity rates) are published to apply from and to the same points via the same routes, the tariffs containing such rates and exception ratings (or their governing rules tariffs) shall contain a rule reading as follows:

A specific commodity rate removes the application of the general commodity rate and the exception rating to the general commodity rate on the same quantity of the same article or commodity (in the same package or shipping form) from and to the same points over the same route.

If no exception ratings to general commodity rates are published, the phrase "and the exception rating to the general commodity rate" shall be omitted from the above rule.

(c) *Specific commodity rates versus class rates.* When both specific commodity rates and class rates are published to apply from and to the same points via the same routes, the tariffs containing such rates (or their governing rules or classification tariffs) shall contain a rule reading as follows:

A specific commodity rate removes the application of the class rate on the same quantity of the same article or commodity (in the same package or shipping form) from and to the same points over the same route.